

3. During the fourth quarter of 2018 and first quarter of 2019, Plaintiff Shafton Holloway was an employee for Foxworth-Galbraith Lumber Company at 1776 Industrial Parkway, Van Alstyne, Texas 75495.

STATEMENT OF CLAIM

4. This action is brought for discrimination in employment pursuant to Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C §§ 2000e to 2000e-17 (gender).

5. Plaintiff Shafton Holloway was discriminated against based on his gender/sex.

6. On or about the fourth quarter of 2018 Plaintiff Shafton Holloway had to warn Gabe Davis, the Site Manager for his work location to stop touching him. On March 06, 2019, Gabe Davis, the site Manager approached Plaintiff Shafton Holloway at the work site and grabbed and slapped Plaintiff Shafton Holloway's butt in front of other employees. Plaintiff Shafton Holloway reported the unwanted touching to his immediate supervisor on March 06, 2019. After reporting the site Manager's sexually harassing behavior, Plaintiff Shafton Holloway was retaliated against by his employer by having credit for work he was assigned and had completed credited to other employees. The retaliatory and harassing actions created a hostile work environment for Plaintiff Shafton Holloway and caused him to have to leave his employment with Foxworth-Galbraith Lumber Company.

EXHAUSTION OF FEDERAL ADMINISTRATIVE REMEDIES

7. Plaintiff Shafton Holloway filed with the Texas Workforce Commission and Equal Employment Opportunity Commission, a charge alleging discriminatory conduct on November 26, 2019. The Texas Workforce Commission and Equal Employment Opportunity Commission have a work sharing agreement.

8. The Texas Workforce Commission and Equal Employment Opportunity Commission issued a Notice of Right to Sue letter, which Plaintiff Shafon Holloway received on November 04, 2020.

RELIEF

9. Plaintiff Shafon Holloway seeks all damages allowed under Title VII of the Civil Rights Act of 1964, including equitable relief as may be appropriate such as reinstatement, promotion, back pay, front pay, court costs. Plaintiff seeks compensatory damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses. Plaintiff seeks reasonable attorney's fees and costs including reasonable expert fees.

CERTIFICATION AND CLOSING

10. Under Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

WHEREFORE, Plaintiff respectfully prays that Defendant be cited to appear and that, upon a jury trial on the merits, all relief requested be awarded to Plaintiff and such other and further relief to which Plaintiff is justly entitled.

Respectfully submitted,

/s/ Timothy E. Brown

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